

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

OTONIEL ROSARIO BURGOS,

Defendant.

SUPERSEDING INFORMATION

S2 19 Cr. 306 (GHW)

COUNT ONE

The United States Attorney charges:

1. From at least on or about March 5, 2019, up to and including at least on or about March 27, 2019, in the Southern District of New York and elsewhere, OTONIEL ROSARIO BURGOS, the defendant, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit Hobbs Act robbery, in violation of Title 18, United States Code, Section 1951.

2. It was a part and an object of the conspiracy that OTONIEL ROSARIO BURGOS, the defendant, and others known and unknown, would and did commit a robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, BURGOS,

agreed to rob an individual he believed was a narcotics dealer in Bronx, New York.

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about March 27, 2019, OTONIEL ROSARIO BURGOS, the defendant, met with other co-conspirators in Bronx, New York, in preparation to commit an anticipated robbery of narcotics.

(Title 18, United States Code, Section 371.)

**FORFEITURE ALLEGATION**

4. As a result of committing the offense alleged in Count One of this Information, OTONIEL ROSARIO BURGOS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Assets Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

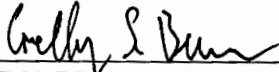
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

  
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GEOFFREY S. BERMAN  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. § 371.)

GEOFFREY S. BERMAN

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United States Attorney